

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION AT CANTON**

IN RE:)	CASE NO. 20-60332
)	
Eric C. Lemon)	IN PROCEEDINGS UNDER
Megan S. Lemon,)	CHAPTER 13
)	
Debtors.)	BANKRUPTCY JUDGE
)	KENDIG

MOTION TO INCUR ADDITIONAL CREDIT

Now comes the Debtor(s) Eric and Megan Lemon, by and through their attorney, David A. Mucklow and respectfully moves this Court to grant an Order to Incur Additional Credit on the following grounds:

1. This Chapter 13 case was commenced by the filing of a Petition by the Debtors on February 24, 2020.
2. Currently, the Debtors' vehicle is in need of major repairs, and it would be more economical to purchase a new vehicle and surrender the 2007 Saab to lien holder, Eagle Loan Company. The Debtors will be filing an amended Chapter 13 plan.
3. The Debtors seek authority to purchase a replacement vehicle in the approximate amount of \$16,636.00 with an interest rate no higher than 19.99% and a monthly payment of approximately \$415.00. The type of vehicle will be a 2017 Ford Escape or similar model. The Debtors plan to purchase a vehicle through Fred Martin Dealership who will assist the Debtors on securing financing on the vehicle. A copy of the Motion to Borrow worksheet is attached as Exhibit A.

4. The Debtors will make necessary changes to Schedules I and J to adjust for incurring this debt in additional filings with the court.

WHEREFORE, the Debtors pray for an Order to Incur Additional Credit to purchase a vehicle consistent with this motion and pursuant to Bankruptcy Rule 4001 (c) (1)(A). The proposed Order to Incur Additional Credit is hereto attached as Exhibit B.

Respectfully submitted:

/s/ David A. Mucklow
DAVID A. MUCKLOW (#0072875)
Attorney for the Debtors
919 E. Turkeyfoot Lake Road
Suite B
Akron, OH 44312
Phone (330) 896-8190
Fax (330) 896-8201
davidamucklow@yahoo.com

NOTICE

Eric and Megan Lemon., Debtors, by and through their undersigned counsel have filed a motion to incur additional credit in this bankruptcy case.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this Bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the Court to grant this Motion, or if you want the Court to consider your views on the Motion, then on or before **May 26, 2020**, you or your attorney must

File with the court a written request for hearing {or, *if the court requires a written response*, an answer, explaining your position} at:

Ralph Regula Federal Building
U.S. Courthouse
401 McKinley Ave. SW
Canton, OH 44702

If you mail your request/response to the court for filing, you must mail it early enough so the court will receive it on or before **May 26, 2020**.

You must also mail a copy to:

David A. Mucklow, Esq.
Attorney for the Debtor
919 E. Turkeyfoot Lake Road #B
Akron, OH 44312

If you or your attorney do not take these steps, the court may decide that you do not oppose the objection to your claim.

CERTIFICATE OF SERVICE

I certify that on or about 11th day of May, 2020 that a true and correct copy of the foregoing was sent electronically via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice list:

- Dynele L Schinker-Kuharich DLSK@Chapter13Canton.com, dschinkerkuharich@ecf.epiqsystems.com
- United States Trustee (Registered address)@usdoj.gov

I certify on or about 11th day of May, 2020 that a true and correct copy of the foregoing was sent via U.S. regular mail to the persons listed below.

Eric Lemon
Megan Lemon
1040 Allen Drive
Wooster, Ohio 44691

See Creditor Matrix Attached.

/s/ David A. Mucklow
DAVID A. MUCKLOW, (#0072875)
Attorney for the Debtors

Ally Bank
PO Box 130424
Roseville MN 55113-0004

Capital One
PO Box 30281
Salt Lake City, UT 84130

Capital One / Maurices
PO Box 30253
Salt Lake City, UT 84130

Capital One Bank (USA), N.A.
by American InfoSource as agent
PO Box 71083
Charlotte, NC 28272-1083

Catholic Charities Corp.
Centralized Billing Dept.
6753 State Rd.
Parma, OH 44134

CNY Fertility
Simon's Agency Inc
PO Box 5026
Syracuse, NY 13220

Consumer Portfolio
19500 Jamboree Rd., Ste. 500
Irvine, CA 92612

Credit Collection Services
PO Box 710
Norwood, MA 02062

Credit One Bank
PO Box 98872
Las Vegas, NV 89193

Debt Recovery Solutions
1669 Lexington Ave.
Mansfield, OH 44907

Debt Recovery Solutions of Ohio, Inc.
P.O. Box 1307
Mansfield, Oh 44901-1307

Dept of Ed / Nelnet
PO Box 82561
Lincoln, NE 68501

Eagle Loan Company of Ohio, Inc.
331 N. Lexington Springmill Rd.
Suite 135
Ontario, OH 44906

Enhanced Recovery Co.
8014 Dayberry Rd.
Jacksonville, FL 32256

First Premier Bank
3820 N Louise Ave.
Sioux Falls, SD 57107

Incorp Services, Inc as agent for
Eagle Loan Company of Ohio, Inc.
9435 Waterstone Blvd., Ste. 140
Cincinnati, OH 45249

Jefferson Capital System
16 Mcleland Rd
Saint Cloud, MN 56303

Jefferson Capital Systems LLC
Po Box 7999
Saint Cloud Mn 56302-9617

Kohls Dept. Store
PO Box 3115
Milwaukee, WI 53201

LVNV Funding, LLC
Resurgent Capital Services
PO Box 10587
Greenville, SC 29603-0587

Pendrick Capital Partners, LLC
Peritus Portfolio Services II, LLC
PO BOX 141419
IRVING, TX 75014-1419

Phoenix Financial Services, LLC
PO Box 361450
Indianapolis, IN 46236

Portfolio Recovery Associates, LLC
POB 12914
Norfolk VA 23541

Premier Bankcard, Llc
Jefferson Capital Systems LLC
Assignee
Po Box 7999
Saint Cloud Mn 56302-9617

Quantum3 Group LLC as agent for
Sadino Funding LLC
PO Box 788
Kirkland, WA 98083-0788

Richland Bureau of Credit
PO Box 1548283 Glessner Ave
Mansfield, OH 44901

Siemans Agency
4963 Wintersuite Dr.
Liverpool, NY 13088

Team Recovery Inc
PO Box 1643
3914 Clock Pointe Trail Ste 101
Stow, OH 44224

US Dept of Education
2401 International
PO Box 7859
Madison, WI 53704

Verizon
by American InfoSource as agent
PO Box 4457
Houston, TX 77210-4457

WORKSHEET: MOTION TO BORROW (VEHICLE)¹

Debtor(s): Eric and Megan S. Lemon Case number: 20-60332

A. BACKGROUND INFORMATION

Vehicle to be Purchased: <u>Ford Escape or similar model</u>	Value of Vehicle: <u>\$16,369.00</u> Source of Valuation: <u>Kelly Blue Book</u>
Reason for borrowing: <u>Surrendering 2007 Saab / Needs repairs.</u>	Other sources sought for financing: _____ _____ _____
Trade-in? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If yes, what? _____	Total unsecured debt: <u>\$30,348.00</u> Dividend to unsecureds: <u>Potplan</u> % Date case filed: <u>02/24/20</u>

B. TERMS OF PROPOSED FINANCING

Proposed Lender: <u>N/A</u>	Principal Amount to be borrowed: <u>17,252.34</u>
Monthly payment: <u>\$415.00</u> If this replaces an existing payment, amount of current payment: \$ _____ Term: <u>72 months</u>	Total of additional fees to be paid as part of financing with itemization: _____ _____ _____
Interest Rate: <u>19.99</u> %	Fixed <input checked="" type="checkbox"/> Adjustable <input type="checkbox"/>

C. ACKNOWLEDGMENT OF DEBTOR AND COUNSEL

By signing below, I acknowledge that my attorney, unless I am pro se, has reviewed the information on this worksheet with me and has offered to answer all my questions that I may have regarding the worksheet or the proposed financing.

Signature of Debtor <u>/s/ Megan S. Lemon</u>	Date <u>05/07/20</u>
Signature of Debtor <u>/s/ Eric S. Lemon</u>	Date <u>05/07/20</u>
Signature of Counsel <u>/s/David A. Mucklow</u>	Date <u>05/07/20</u>

¹ Additional information that would be helpful in deciding the motion, and not included in this worksheet, should be included in the motion.